HONOURABLE SRI G.S.SINGHVI

THE CHIEF JUSTICE

AND

HONOURABLE SRI JUSTICE

R.SUBHASH REDDY

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WRIT APPEAL No. 2400 OF 2005

Between:

B.V.Ramana Rao S/o late Narasimhulu

Namalagundu, Seethaphalmandi,

Secunderabad.

… Appellant

And

Deputy Registrar of Co-operative

Societies/Divisional Co-op. Officer

Hyderabad East Division,

Ranga Reddy District and others.

… Respondents.

::JUDGMENT::

Counsel for appellant : Sri C.M.R.Velu

Counsel for Respondent No.1 : Government Pleader for

Cooperation

Counsel for Respondents Nos 2 & 4 : Sri T.A. Kumar

Counsel for Respondent No.3 : Sri P.Venkateswar Rao

12th December, 2005

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Per G.S.Singhvi, C.J

This is an appeal for setting aside order dated 11.11.2005 passed by the learned Single Judge, whereby she dismissed writ petition No.4969 of 2005 filed by the appellant for quashing order dated 22.2.2005 passed by the Andhra Pradesh Cooperative Tribunal, Hyderabad in C.T.A. No. 113 of 2004.

After arguing the case for some time, and, on being questioned by the court on the issue of locus standi of the appellant to institute the writ petition, learned counsel, Sri C.M.R. Velu, made a request that his client may be permitted to withdraw this appeal as also the writ petition and liberty be given to Smt.Barla Mallamma (Respondent No.5) to avail appropriate legal remedy for protecting her property.

Sri T.A. Kumar, learned counsel appearing for Bhavana Rishi Cooperative Urban Bank Limited, says that he does not have any objection to the acceptance of request

made by the learned counsel for the appellant.

Sri, P.Venkateswar Rao, learned counsel for the purchaser (Respondent No.3) says that the court may pass appropriate order.

In the peculiar facts of this case, we feel that it will be in the interest of justice to accept the request of the learned counsel for the appellant.

Accordingly, this appeal as also writ petition No. 4969 of 2005 are dismissed as withdrawn with liberty to Respondent No.5 to avail appropriate legal remedy in the matter of sale of her property. It is also made clear that the findings recorded by the learned Single Judge in the order under challenge shall not prejudice the cause of Respondent No.5 in any future litigation.

G.S.SINGHVI, C.J.

12.12.2005.

R.SUBHASH REDDY, J.

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